UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/721
18 September 1997

ORIGINAL: ENGLISH

LETTER DATED 12 SEPTEMBER 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the question of Western Sahara, in particular the activities of my Personal Envoy, Mr. James A. Baker III, pursuant to Security Council resolution 1108 (1997) of 22 May 1997.

As may be recalled, it was my intention to evaluate the situation concerning Western Sahara in the light of the findings and recommendations to be provided by my Personal Envoy. In this connection, the Council, in its resolution 1108 (1997), urged the parties to continue to cooperate with my Personal Envoy in his mission and to demonstrate the political will to overcome the persisting stalemate, and find an acceptable solution. The Security Council requested me to submit, by 15 September 1997, a comprehensive report on the results of my evaluation of all aspects of the Western Sahara issue. In the meantime, the Council decided to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 September 1997.

As the members of the Security Council are aware, following his exploratory mission to the region in late April 1997, my Personal Envoy held separate meetings in London on 10 and 11 June with the two parties to the Settlement Plan, Morocco and the Frente POLISARIO, as well as the two neighbouring countries, Algeria and Mauritania. During these meetings, it was agreed with my Personal Envoy that the only way to assess the implementability of the Settlement Plan would be through direct talks between the two parties, under United Nations auspices, to address the obstacles in the implementation of the Plan. Algeria and Mauritania would be invited to the talks as observers, but would attend the discussions on issues directly affecting them. It was agreed that the talks would be private, would not constitute an international conference and would continue for as long as the Personal Envoy felt that there was progress. The parties also accepted my Personal Envoy's suggestion that, during those direct talks, no issue would be considered as finally agreed until all outstanding issues were agreed.

Under the conditions set forth and agreed to in London, the first round of direct talks under the auspices of my Personal Envoy was held in Lisbon on 23 June. At the end of the first round, my Personal Envoy submitted bridging proposals on the identification of prospective Saharan voters in the referendum.

This led to a second round in London on 19 and 20 July, at which the parties reached agreement on issues related to the identification process and to preparatory work of the United Nations High Commissioner for Refugees for the return of refugees. A third round of direct talks was held in Lisbon on 29 August, during which the parties reached further agreement on issues related to the confinement of troops from the two sides and to the release of prisoners-of-war and of Saharan political detainees.

At the completion of the third round of direct talks in Lisbon, my Personal Envoy invited the parties to a fourth round, with a view to resolving satisfactorily the proposed code of conduct of the parties during the referendum campaign. The fourth round is scheduled to be held at the James Baker Institute for Public Policy in Houston, Texas, from 14 to 16 September 1997.

Given the progress made thus far, and in order to take account of the results of the forthcoming round of direct talks and undertake thereafter a proper evaluation of the situation concerning Western Sahara, I propose to defer the submission of my report to the Security Council until later this month.

(Signed) Kofi A. ANNAN

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/722
18 September 1997

ORIGINAL: ENGLISH

LETTER DATED 18 SEPTEMBER 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 12 September 1997 (S/1997/721) concerning the question of Western Sahara, in particular the activities of your Personal Envoy, Mr. James A. Baker III, pursuant to Security Council resolution 1108 (1997) of 22 May 1997, has been brought to the attention of the members of the Security Council. The members of the Council look forward to receiving your comprehensive report on the results of your evaluation of all aspects of the Western Sahara issue, called for in resolution 1108 (1997), later this month in time to enable the Council to take action with regard to the United Nations Mission for the Referendum in Western Sahara (MINURSO), whose mandate was extended until 30 September 1997.

(Signed) Bill RICHARDSON
President of the Security Council

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UNITED
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Security Council

Distr.
GENERAL

S/1997/723
18 September 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 17 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF BURUNDI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith for the members of the Security Council the message from the Government of Burundi to the heads of State of the region following the fifth regional summit on the Burundi conflict.

The Government of Burundi reaffirms its determination to pursue the peace process, negotiations on which are open to all parties to the conflict, while emphasizing its concerns regarding the requisite conditions for a successful outcome.

The contribution of the international community and neighbouring countries to the attainment of these conditions remains essential.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Gamaliel NDARUZANIYE
Ambassador
Permanent Representative

97-24475 (E) 180997 180997

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ANNEX

Message from the Government of Burundi to the heads of State of the region following the fifth regional summit on the Burundi conflict

1. The Government of the Republic of Burundi requested postponement of the first session of the intra-Burundi negotiations, scheduled for 25 August 1997 at Arusha, to allow time for consultation with all its partners so as to improve conditions for mediation and to find another location, outside the United Republic of Tanzania, more suitable for hosting the dialogue.

2. A summit of the heads of State of the region was convened at Dar-es-Salaam by the President of the United Republic of Tanzania on 3 and 4 September 1997. President Yoweri Museveni was mandated to transmit the content and spirit of the summit conclusions. He performed this mission by inviting the President of the Republic of Burundi on 12 September 1997 to Mbarara in Uganda. During the talks President Pierre Buyoya had an opportunity to explain to his Ugandan counterpart the position of the Government of the Republic of Burundi, summarized as follows.

3. The Government of the Republic of Burundi expresses its regret at not having been invited to the summit. The Government is of the view that its presence at these meetings dealing exclusively with the Burundi conflict is essential for the purpose of providing information and explanations to the heads of State of the region in the interest of peace in Burundi.

4. The peace process in Burundi must involve dialogue and negotiation among the people of Burundi. The Government has undertaken to follow such a path and to establish all necessary conditions for a successful conclusion to the process. It has thus undertaken a wide-ranging information campaign to encourage all political and social actors in Burundi to accept the process. The Government has elected to organize a broad national debate and negotiations so as to promote the emergence of consensus on the fundamental issues and appropriate solutions. At the conclusion of this process the consultations will be followed by the establishment of a transition Government, on a negotiated basis, allowing the country to move along the path that the people of Burundi themselves have indicated. The ultimate objective will be to establish democratic institutions acceptable to all.

5. The Government of the Republic of Burundi once again expresses its concern with regard to the mediation and which country is to host the mediation. No process can bring about peace in Burundi unless it fully involves the people of Burundi and is conducted with their full approval. It is therefore essential that there be greater cooperation between the mediator and the people of Burundi, particularly the Government of the Republic of Burundi, which provides leadership for the country at the highest level and has the heavy responsibility of leading it out of the crisis.

6. The Government of the Republic of Burundi believes that in order to strengthen the confidence of all parties in the mediation, in accordance with

principles universally recognized as applying in such circumstances, the mediator must be provided with support by other key individuals and experts versed in dispute-settlement methods.

7. It should be easy to understand why the Government of the Republic of Burundi objects to the talks being held in the United Republic of Tanzania, the fundamental reason for this objection being the current tension resulting from the problems caused by the refugee camps set up all along the shared border by the United Republic of Tanzania, just a dozen or so kilometres from Burundi, which are regularly used as bases for bloody incursions into Burundi territory. This tension has been exacerbated by the hostile campaign conducted by the Tanzanian authorities in the run-up to the opening of the peace talks. A mediation endeavour must therefore be undertaken without delay to settle the conflict between Burundi and the United Republic of Tanzania, so as to give the Burundi peace process every possible chance of succeeding and preserve peace in the region.

8. The Government of the Republic of Burundi has undertaken to pursue the peace process by negotiation. It requested postponement of the first session of the talks solely because it wished them to take place in optimum circumstances. Taking a coercive approach towards it and towards the people of Burundi is therefore pointless, if not harmful. It calls once again for a complete end to the sanctions that are injuring the Burundi people, particularly the most vulnerable segments of the population.

9. The Government of the Republic of Burundi sees no justification for the appeal made to it by the fifth summit of the heads of State of the region to halt ongoing trials. Halting the trials would throw the country into disorder and jeopardize public security. No Burundian would be able to understand why the perpetrators of minor offences should be punished by law, while murderers could not be tried for such crimes as the assassination of President Ndadaye and the subsequent genocidal massacres. Halting either ongoing or future legal proceedings is unacceptable. The proper approach is to ensure that every defendant is given a just and fair trial at which the right to defence is guaranteed. The Government has already undertaken to do everything within its power to ensure that this will be done.

10. With respect to participation in the peace talks by certain key figures referred to in the joint communiqué of the fifth regional summit on the Burundi conflict, the Government of the Republic of Burundi reaffirms its commitment to all-inclusive negotiations in which State bodies and any political or civil organizations wishing to do so may participate. However, the law cannot be circumvented: nobody is above the law. Moreover, only representatives of public institutions and political or civil organizations taking part in the negotiations may participate. The Government appeals to the heads of State of the region for understanding, since it will not be possible to grant authorizations on an exceptional basis that would disrupt public order or would not be justified on the basis of valid representative status.

11. In keeping with its desire to lead the country towards peace through dialogue and negotiation, the Government of the Republic of Burundi will respond

to the next invitation to the peace talks. However, it will continue to raise its concerns if they have not been met in the meantime.

12. The Government of the Republic of Burundi thanks the heads of State of the region for their interest in promoting peace in Burundi. It calls on them to place their confidence in it and to recognize that it is the party chiefly concerned and a partner that cannot be ignored in the endeavour to bring the peace process in Burundi to a successful conclusion.

UNITED NATIONS

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General Assembly
Security Council

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GENERAL

A/52/366
S/1997/724
18 September 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Item 61 of the provisional agenda*
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 16 September 1997 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 16 September 1997, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under item 61 of the provisional agenda, and of the Security Council.

(Signed) Hüseyin E. Çelem
Ambassador
Permanent Representative

* A/52/150 and Corr.1.

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ANNEX

Letter dated 16 September 1997 from Mr. Aytuğ Plümer addressed to the Secretary-General

Further to my letter of 25 August 1997 addressed to you, concerning the deliberate destruction by Greek Cypriots of historical and religious monuments in Cyprus (A/51/966-S/1997/666), I have the honour to provide herewith a list of the 103 mosques and Muslim shrines that had been the target of such actions until Turkey's legitimate intervention in Cyprus on 20 July 1974, in the wake of a coup d'état carried out by Greece and its collaborators in Cyprus with the aim of annexing the island (see appendix).

I should be grateful if the text of the present letter and its attachment could be circulated as a document of the General Assembly, under item 61 of the provisional agenda, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern Cyprus

APPENDIX

List of mosques and Muslim shrines destroyed or damaged by Greek Cypriots until 20 July 1974

1. Omerge Mosque
2. Bayraktar Mosque
3. Tahtakala Mosque
4. Araplar Mosque
5. Dükkanlar Önü Mosque
6. Zeytinlik Mosque
7. Aşaği Deftera Mosque
8. Aşaği Lákadamya Mosque
9. Türkeli Mosque
10. Küçük Kaymakli Mosque
11. Yilmazköy Mosque
12. Dereliköy Mosque
13. Erenköy Mosque
14. Gaziler Mosque
15. Dereli Mosque
16. Demirhan Mosque
17. Minareliköy Mosque
18. Matyat Mosque
19. Madenliköy Mosque
20. Katalyonda Mosque
21. Somolof Mosque
22. Akaca Mosque
23. Güzelyurt Mosque
24. Orunda Mosque
25. Peristerona Mosque
26. Denya Mosque
27. Kurtboğan Mosque
28. Bozdağ Mosque
29. Flâsu Mosque
30. Mansur Mosque
31. Dali Mosque
32. Solya Mosque
33. Eylence Mosque
34. Balikesir Mosque
35. Arpalik Mosque
36. Aybifan Mosque

37. Mamundali Mosque
38. Ceyhan Mosque
39. Yuvali Mosque
40. Ovalik Mosque
41. Çatalköy Mosque
42. Beşparmak Mosque
43. Lapta Mosque
44. Kömürcü Mosque
45. Karşiyaka Mosque
46. Tepebaşi Mosque
47. Şirinevler Mosque
48. Hz. Ömer Shrine Mosque
49. Girne Mosque
50. Aga Cafer Pasha Mosque
51. Acemzade Mecidi Mosque
52. Zahuri Mosque
53. Koraku Mosque
54. Aredyu Mosque
55. Gürpinar Mosque
56. Linu Mosque
57. Yağmuralan Mosque
58. Süleymaniye Mosque
59. Selçuklu Mosque
60. Kuzucuk Mosque
61. Çayirova Mosque
62. Mutluyaka Mosque
63. Paşaköy Mosque
64. Alaniçi (Magosa) Mosque
65. Geçitkale (Magosa) Mosque
66. Adaçay Mosque
67. Boğaztepe Mosque
68. Pinarli Mosque
69. Atlilar Mosque
70. Bahçalar (Yeni İskele) Mosque
71. Yedikonuk Mosque
72. Elmali Mosque
73. Taşlica Mosque
74. Ceylân Mosque
75. Alsandik Mosque
76. Yerovasi Mosque

77. Bağlarbaşi Mosque
78. Silifke Mosque
79. Çeliktaş (Limasol) Mosque
80. Baf Mosque
81. Eledyu Mosque
82. Amarget Mosque
83. Aktepe Mosque
84. Akkargi Mosque
85. Poli Mosque
86. Hulu Mosque
87. Girittera Mosque
88. Olukönü Mosque
89. Çinarlı Mosque
90. Aşaği Baf Mosque
91. Haci Mehmet Tekke Mosque
92. Turabi Mosque and Shrine
93. Düzova (Lárnaka) Mosque
94. Akkor Mosque
95. Aksu Mosque
96. Maroni Mosque
97. Kalavason Mosque
98. Lefkara Mosque
99. Çamlibel (Lárnaka) Mosque
100. Akhisar Mosque
101. Ummu Haram Mosque
102. Aplenda Mosque
103. Alâ-tirke Mosque

UNITED NATIONS **S**

Security Council

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GENERAL

S/1997/725
18 September 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 17 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States aircraft continued over the period 1 to 15 September 1997 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

Your intervention is requested with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Violations of Iraq's airspace and damage caused, 1-15 September 1997

1. In the northern region 98 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following cities and towns: Mosul, Irbil, Dohuk, Aqrah, Tall Afar, Zakho, Amadiyah, Ayn Sifni, Tall Kayf, Badush, Sarsank and Kalak.

2. In the southern region 701 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Basrah, Chabaish, Artawi, Rifa'i, Busayyah, Shinafiyah, Qurnah, Lasaf, Rumaythah, Hamzah, Shu'aybah, Khidr, Rahhaliyah, Jabal Sanam, Diwaniyah, Suq al-Shuyukh, Jalibah, Taqtaqanah, Nukhayb, Batha', Shatrah and Ushbayjah.

3. On 15 occasions United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated the Republic of Iraq's airspace in the southern region before leaving in the direction of Kuwait.

4. At 1320 hours on 1 September 1997 a United States two-aircraft formation broke the sound barrier over Qurnah.

5. At 1930 hours on 1 September 1997 a helicopter from the United States frigate Rentz (No. 46) overflew Mina' al-Bakr.

6. At 0750 hours on 4 September 1997 and at 1555 hours on 6 September 1997 a United States two-aircraft formation broke the sound barrier over Nasiriyah.

7. At 1335 hours on 4 September 1997 a helicopter from United States frigate No. 55 circled over Mina' al-Bakr.

8. At 1440 hours on 9 September 1997 a United States two-aircraft formation broke the sound barrier over Basrah.

9. At 1015 hours on 9 September 1997 two helicopters from a United States naval unit circled over Mina' al-Bakr.

UNITED NATIONS **S**

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S/1997/726
18 September 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 18 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 September 1997 addressed to you by Mr. Mohammed Sa'id Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, indicating that the Iranian Government is making use of the Iraqi civil and military aircraft that were entrusted to it with its agreement in 1991 and urging you to use your good offices with the Iranian Government with a view to securing the return of all these aircraft to Iraq.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Permanent Representative

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Annex

Letter dated 16 September 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I refer to the letter dated 24 April 1992 from the Minister for Foreign Affairs of the Republic of Iraq addressed to your predecessor as Secretary-General, Mr. Boutros Boutros-Ghali, requesting his intervention with the Iranian Government for the return of the Iraqi military and civil aircraft that were entrusted to Iran.

I should like to inform you that the Iranian Government has begun to make use of the Iraqi military and civil aircraft entrusted to it with its agreement in 1991. The Iranian authorities have repainted the 115 military aircraft and integrated them into Iranian air force formations, and the 27 Iraqi civil transport aircraft have been distributed to the Iranian civil aviation company and the transport command of the Iranian air force for use in internal transport operations.

The Government of the Republic of Iraq protests in the strongest terms against the use made by the Iranian Government of property that does not belong to it. It regards this as a grave breach of the most elementary principles and norms of international law, and particularly of the Convention on International Civil Aviation signed at Chicago on 7 December 1944, and it considers that the Iranian Government bears full international responsibility for its unlawful actions. It reserves the right to claim restitution for any damage that may be caused to the military and civil aircraft entrusted to Iran.

In bringing the facts of this matter to your attention, I request you to use your good offices with the Iranian Government to urge the necessity of its returning all of the aircraft entrusted to it by Iraq, stressing that the United Nations has no legal objection to their return, and to call upon it to desist forthwith from taking any measures to make technical or other changes or modifications to the aircraft and to refrain from using them for any military, commercial or private purpose.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs

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A/52/371
S/1997/727
19 September 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda items 36, 37 and 87
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE
PALESTINIAN PEOPLE AND OTHER ARABS
OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-second year

Identical letters dated 19 September 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

Israel, the occupying Power, continues with its drive to colonize Occupied Arab East Jerusalem. It has allowed illegal settlers to occupy a house in Ras al-Amud, a crowded Arab neighbourhood of East Jerusalem. This represents another flagrant violation of the Fourth Geneva Convention of 1949 and many Security Council and General Assembly resolutions, including resolutions ES-10/2 of 25 April 1997 and ES-10/3 of 15 July 1997, adopted at the tenth emergency special session on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory. This action is also another serious blow to the imperiled peace process.

The Israeli action came after some internal haggling, with the obvious aim of reaching the least costly method to achieve the goal of the present Israeli Government. The Israeli media have asserted that several ministers indeed knew in advance of the intention of the settlers. Some asserted that the Prime Minister himself knew and that he had asked for the postponement of the action until after the departure of the United States Secretary of State from the region.

One of the antagonists in this matter is a United States citizen, Irving Moskowitz. We informed you about some of his illegal actions in our letter of 20 August 1997. in this regard, we must stress the personal

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responsibility for the violation of the Fourth Geneva Convention, which was emphasized in General Assembly resolution ES-10/3.

We stress also the duties of the international community, especially the Security Council, to take immediate action with the aim of reversing the Israeli action and bringing an end to their repeated violations.

I would be grateful if you would arrange to have the text of the present letter distributed as an official document of the General Assembly, under agenda items 36, 37 and 87, and of the Security Council.

(Signed) Dr. Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

UNITED NATIONS

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General Assembly
Security Council

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GENERAL

A/52/370
S/1997/728
19 September 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 19 September 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to new violations of the airspace of the Republic of Cyprus and of the flight information region of Nicosia by miliary aircraft of the Turkish Air Force, recorded on 10 September 1997. On that day at 0815 hours, a Turkish tanker military plane entered the Nicosia flight information region from a north-easterly direction, then violated the national airspace of the Republic of Cyprus, flying over Apostle Andreas Cape and exited at 0848 hours heading in a south-easterly direction.

As stated in my previous letters, such unauthorized intrusions into the Nicosia flight information region and the airspace of the Republic are in violation of international air traffic rules and seriously endanger civil aviation flights over Cyprus. At the same time, they are in contravention with the provisions of the Security Council resolutions on Cyprus, which state that such overflights increase political tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish strongly to protest against the new violations of the sovereignty and territorial integrity of the Republic of Cyprus, which are in complete disregard of international law, the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 61 and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador, Permanent Representative
of the Republic of Cyprus
to the United Nations